

LeClairRyan

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Attorneys for Plaintiff, Howard Johnson International, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

HOWARD JOHNSON INTERNATIONAL, :
INC., a Delaware Corporation, : Civil Action No. 13-cv-07574 (ES)(MAH)
Plaintiff, :
v. :
NOTICE OF MOTION FOR FINAL
BKD INVESTMENTS, LLC, a California
Limited Liability Company, :
Defendant. :
JUDGMENT BY DEFAULT AND
STATEMENT IN LIEU OF BRIEF
(RETURNABLE AUGUST 4, 2014)
:

TO: BKD Investments, LLC
2025 Santa Rita Road
Pleasanton, CA 94566

1215 South 1st Street
San Jose, CA 95110

PLEASE TAKE NOTICE that on **Monday, August 4, 2014, at 10:00 a.m.** in the forenoon, or as soon thereafter as counsel may be heard, the undersigned, attorneys for plaintiff Howard Johnson International, Inc. ("HJI"), will move before the Honorable Esther Salas, U.S.D.J., at the United States District Court for the District of New Jersey, Martin Luther King, Jr. Federal Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order granting Final Judgment by Default as to defendant, BKD Investments, LLC (the "Defendant"); and

PLEASE TAKE FURTHER NOTICE that, in support of the within Motion, HJI shall rely upon the Complaint filed in this matter, the Request for Entry of Default with Certification in support thereof (entered against Defendant on March 11, 2014), and the Affidavit of Suzanne Fenimore and Certification of Bryan P. Couch, Esq. in support of the present Motion submitted herewith; and

PLEASE TAKE FURTHER NOTICE that at the time and place aforesaid, HJI will request that the proposed form of final judgment submitted herewith be entered by the Court.

LeClairRyan
Attorneys for Plaintiff,
Howard Johnson International, Inc.

By: 
BRYAN P. COUCH

Dated: 6/30/14

STATEMENT IN LIEU OF BRIEF

A brief under Local Civil Rule 7.1(d)(1) of the United States District Court for the District of New Jersey is not submitted because no significant legal argument is made in connection with this motion. However, the undersigned reserves the right to file a brief to supplement its motion papers if the Court concludes that additional submissions would be helpful to the Court in rendering a decision.

LeClairRyan
Attorneys for Plaintiff,
Howard Johnson International, Inc.

By: 
BRYAN P. COUCH

Dated: 6/30/14

CERTIFICATION OF FILING

I hereby certify that on this date the within Notice of Motion and supporting papers were filed electronically with Mr. William T. Walsh, Clerk, United States District Court for the District of New Jersey, Martin Luther King Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey.


BRYAN P. COUCH

Dated: 6/30/14

CERTIFICATION OF SERVICE

I hereby certify that on this date a true copy of the within Notice of Motion and all supporting papers were served on defendant, BKD Investments, LLC, by sending the same via certified mail, return receipt requested, and regular mail, addressed as follows:

BKD Investments, LLC
2025 Santa Rita Road
Pleasanton, CA 94566

1215 South 1st Street
San Jose, CA 95110



BRYAN P. COUCH

Dated: 6/30/14